

LIPSON NEILSON P.C.
9900 Covington Cross Drive, Suite 120, Las Vegas, Nevada 89144
Telephone: (702) 382-1500 Facsimile: (702) 382-1512

LIPSON NEILSON P.C.
JOSEPH P. GARIN, ESQ.
Nevada Bar No. 6653
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144
Phone: (702) 382-1500
Fax: (702) 382-1512
jgarin@lipsonneilson.com

*Attorneys for Defendant/Third-Party Plaintiff
Pension Benefit Information, LLC*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TERRI CAMPBELL, individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

PENSION BENEFIT INFORMATION, LLC;
DOES 1 through 20, inclusive,

Defendant/Third-Party
Plaintiff,

vs.

PROGRESS SOFTWARE
CORPORATION,

Third-Party Defendant.

Case No: 2:23-cv-01545-CDS-EJY

**STIPULATION AND ORDER TO
EXTEND DEFENDANT'S TIME TO
RESPOND TO COMPLAINT**

(FIRST REQUEST)

Pursuant to LR IA 6-1 and 6-2, Plaintiff Terri Campbell ("Plaintiff") and Defendant/Third-Party Plaintiff Pension Benefit Information, LLC ("PBI") (altogether, the "Parties"), hereby stipulate and agree to extend PBI's response date to Plaintiff's Class Action Complaint by thirty (30) days up to and including November 10, 2023. The Parties further state:

WHEREAS, Plaintiff commenced this action by filing a Class Action Complaint on August 18, 2023 in the Eighth Judicial District Court, Clark County, Nevada against PBI [ECF No. 1-2]. On September 11, 2023, Plaintiff's counsel provided a waiver of service form to PBI's counsel. On September 28, 2023, PBI removed the Class Action

1 Complaint to this Court [ECF No. 1]. Accordingly, PBI's current response date is
2 October 5, 2023, pursuant to Federal Rule of Civil Procedure 81(c)(2)(C).

3 WHEREAS, on July 7, 2023, the named plaintiff in *Bailey v. Progress Software*
4 *Corporation and Pension Benefit Information, LLC*, No. 0:23-cv-2028 (D. Minn. July 5,
5 2023) filed a Motion for Transfer and Centralization of Related Actions Pursuant to 28
6 U.S.C. § 1407 for Consolidated Pretrial Proceedings (the "Transfer Motion"), which
7 requests that the Judicial Panel for Multidistrict Litigation transfer and centralize certain
8 actions for coordinated pretrial proceedings, and identifies the instant case as such a
9 matter subject to the Transfer Motion;

10 WHEREAS, on October 4, 2023, the JPML issued an order for centralization and
11 transfer to the United States District Court for the District of Massachusetts of related
12 cases arising from the same subject matter and claims as the instant matter. See *IN*
13 *RE: MOVEit Customer Data Security Breach Litigation*, No. 3083;

14 WHEREAS, the Parties have agreed to extend PBI's response date pending
15 further action of the JPML relative to the transfer of this action;

16 WHEREAS, this is the first stipulation for extension of PBI's time to file a
17 response to Plaintiff's Class Action Complaint;

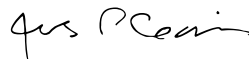
18 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, that:

19 1. Defendant PBI's deadline to file a response to Plaintiff's Class Action
20 Complaint shall be extended up to and including November 10, 2023.

21 IT IS SO STIPULATED.

22 DATED this 4th day of October, 2023.

23 LIPSON NEILSON P.C.

24 

25 By:

26 JOSEPH P. GARIN, ESQ.

27 Nevada Bar No. 6653

28 9900 Covington Cross Drive, Suite 120

Las Vegas, Nevada 89144

Attorneys for Defendant/Third-Party Plaintiff
Pension Benefit Information, LLC

LIPSON NEILSON P.C.

9900 Covington Cross Drive, Suite 120, Las Vegas, Nevada 89144
Telephone: (702) 382-1500 Facsimile: (702) 382-1512

KIND LAW

/s/ Michael Kind (with permission)

MICHAEL KIND, ESQ.
Nevada Bar No. 13093
8860 South Maryland Parkway, Suite 106
Las Vegas, NV 89123

Attorneys for Plaintiff Terri Campbell

ORDER

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: October 4, 2023